

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JULIA RASMUSSEN, *et al.*,
Plaintiffs,

v.

SKAGIT COUNTY, *et al.*,
Defendants.

CASE NO. C05-245C
MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

This matter comes before the Court on Plaintiffs' Motion for Continuation of Trial Date (Dkt. Nos. 63 and 64), Defendants' Responses in Opposition thereto (Dkt. Nos. 66 and 67); and Plaintiffs' Reply (Dkt. No. 69).

The original trial date in this matter was set for May 22, 2006. The current trial date is September 25, 2006, which date was set on December 21, 2005 after Defendants jointly moved in November 2005 for a continuance, requesting a new trial date in February 2007. Plaintiffs had opposed that motion and alternatively sought a continuance of only two months. The Court then set the September 25, 2006 trial date.

1 Plaintiffs now seek a new trial date of June 18, 2007, citing (1) the discovery in March 2006 of
2 additional parties who should be added to this lawsuit (*i.e.*, the Skagit County Standards Review Board
3 and its individual board members); (2) that Plaintiffs' Counsel will be moving her practice; and (3) newly
4 developed family concerns for Plaintiffs. In addition, Plaintiffs note that one of the Skagit County
5 Standards Review Board members is believed to be Paul Riley, who had initially appeared in this matter
6 as Counsel for Defendants Skagit County, David Jones, Cathy Smith, and David Shand, and therefore is
7 believed to have a conflict of interest. Mr. Riley no longer represents those Defendants, as of March 15,
8 2006.

9 Defendants oppose Plaintiffs' motion, arguing that Plaintiffs appear to be trying to avoid the late-
10 May discovery cutoff in this matter. Further, Defendant Leibrand requests attorney's fees incurred in
11 bringing the November 2005 joint motion that resulted in the continuance setting the current trial date.

12 After consideration of the papers submitted on this motion, the Court hereby GRANTS IN PART
13 and DENIES IN PART Plaintiffs' motion, as follows:

14 The trial shall be continued approximately six (6) months, and the new trial date shall be
15 March 5, 2007. The following amended pretrial/trial schedule shall be in effect:

- 16 - Pleading amendment/third-party action due by July 14, 2006.
- 17 - 39.1 mediation to be completed by January 5, 2007.
- 18 - Pretrial Order due by February 23, 2007.
- 19 - Trial briefs, voir dire, and jury instructions due by March 1, 2007.
- 20 - Trial begins March 5, 2007.

21 All other dates, including discovery deadlines, shall shift according to the new trial date and the Federal
22 and Local Rules. If the parties wish to stipulate to additional discovery or expert deadlines, such as those
23 suggested in Plaintiffs' Proposed Order, they may file a stipulation and proposed order to that effect.

24 Further, Counsel are reminded of their obligations to diligently conduct discovery according to the
25 Federal Rules of Civil Procedure, the Local Rules, and this Court's Order regarding discovery and

1 depositions (Dkt. No. 11).

2 The Court DENIES Defendant Leibrand's request for attorney's fees.

3 DATED this 31st day of May, 2006.

4 BRUCE RIFKIN, Clerk of Court

5 By /s/ C. Ledesma

6 Deputy Clerk